

House File 205 - Introduced

HOUSE FILE 205

BY WOLFE

A BILL FOR

1 An Act relating to the expungement of a dismissal or acquittal
2 of a criminal charge.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 901C.1 Expungement of dismissals
2 and acquittals.

3 1. After the dismissal or acquittal of all charges arising
4 from the same incident, the court's criminal record relating
5 to the dismissal or acquittal of all charges arising from
6 the same incident shall be expunged. However, the court's
7 criminal record shall not be expunged until one year after the
8 date of the latest dismissal or acquittal or the person has
9 paid the costs, fees, or other financial obligations ordered
10 by the court or assessed by the clerk of the district court
11 in the case, whichever is later. The expunged record is a
12 confidential record exempt from public access under section
13 22.7 but shall be made available by the clerk of the district
14 court, upon request and without court order, to an agency or
15 person granted access to the deferred judgment docket under
16 section 907.4, subsection 2.

17 2. The provisions of this section apply to a dismissal or
18 acquittal of a charge for an offense committed on or after July
19 1, 2013.

20 EXPLANATION

21 This bill relates to the expungement of a dismissal or
22 acquittal of a criminal charge.

23 After a dismissal or acquittal of all criminal charges
24 arising from the same incident, the bill requires the court's
25 criminal record relating to all of the dismissed or acquitted
26 charges to be expunged. However, the court's record shall not
27 be expunged under the bill until the latter of one year after
28 the date of the latest dismissal or acquittal or the person has
29 paid the costs, fees, or other financial obligations ordered
30 by the court or assessed by the clerk of the district court in
31 the case.

32 The bill specifies that the expunged record is a
33 confidential record exempt from public access under Code
34 section 22.7 but shall be made available by the clerk of the
35 district court, upon request and without court order, to an

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1 agency or person granted access to the deferred judgment docket
2 under Code section 907.4, subsection 2.

3 The bill only applies to a dismissal or acquittal of a
4 criminal charge for an offense committed on or after July 1,
5 2013.